

Application No. 10/085,836

REMARKS

1. Applicant thanks the Examiner for the Examiner's comments, which have greatly assisted Applicant in responding.

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Further, Applicant thanks the Examiner for giving Applicant the opportunity to clarify the invention and discuss its merits during the interview on November 9, 2005.

2. **35 U.S.C. §102.**

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The Examiner rejected Claims 1-14 under 35 U.S.C. §102(e) as being anticipated by Pollitt, US 2003/0069803 A1 (hereinafter Pollitt.)

Applicant respectfully traverses.

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(a) First, however, per the suggestion by the Examiner, Applicant has elected to amend the independent Claims to add the phrase, "computer implemented", to the method claims to make clear that such claims have a technological basis.

20 (b) Second, per suggestion by the Examiner, Applicant points out that what Applicant means by the claimed "information content" includes specific data within a transmission that is significant to the user.

25 As discussed during the interview, an example of what is significant to a user receiving an email may be the content of what is in the envelope of the email. Likewise, the user may consider the textual part of the email to be the significant information content. In addition, the user may consider the MIME format to be the significant information content. And, finally, the user may believe that all of the three categories of content of the email apply, *i.e.* are significant.

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Support can be found in the Specification as a whole and also at least on page 3, lines 15-17, as follows:

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"The process may be applied to comparison of contents of any type of electronic files, databases, or data objects and constructs, including emails, Web pages, and the like."

- 5 It is clear from the above that one can glean a variety of different types of content, such as emails, Web pages, data objects, etc., as within the scope of the claimed invention.

Also, Table 1 on page 5 shows how, by using "aaa" and "aaaa" as examples,
10 information content is a string of bytes. It is the user who determines which string of bytes are significant to be considered the information content of the claimed invention.

(c) Third, as discussed during the interview, Applicant has amended the independent
15 claims to further clarify that it is the entire received information content, as defined by the user, to which a particular algorithm that can calculate a value to represent the entire information content to as many digits as desired is applied. This is in stark contrast to Pollitt that teaches comparing a part of the information content that the user considers important. For example, see page 2, [0070] of Pollitt. Pollitt teaches
20 comparing received keywords to content data {see page 2 [0052]}. At most, Pollitt teaches setting a parameter value for each content instance for selected ones of the parameters... the parameter value being searchable to allow content to be located and defining a threshold that indicates a range of values (page 3, [0109, 110]). But nowhere does Pollitt teach or suggest calculating parameters that each represent
25 entire content information by using an algorithm that can calculate up to an arbitrary precision determined by the user, and then comparing the parameters as opposed to the information content themselves, to determine if the information content are identical. Pollitt cannot do this at all. In fact, Pollitt cannot be modified to do this, because no where does Pollitt discuss calculating a parameter up to an arbitrary
30 precision that represents the entire information content. There is nothing to modify. Pollitt teaches a system to retrieve stored content, wherein the claimed invention teaches calculating and comparing parameters and does not necessarily need to store the information content.

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Therefore, in view of the above, Pollitt does not teach or disclose the invention as claimed.

Accordingly, independent Claims 1, 6, 11, and 12 are deemed in allowable condition.

- 5 Claims 2-5, 7-10, and 13-14 are dependent upon independent Claims 1, 6, 11, and 12, respectively. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §102(e).

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CONCLUSION

5 Based on the foregoing, Applicant considers the present invention to be
distinguished from the art of record. Accordingly, Applicant earnestly solicits the
Examiner's withdrawal of the rejections raised in the above referenced Office Action,
such that a Notice of Allowance is forwarded to Applicant, and the present
application is therefore allowed to issue as a United States patent. The Examiner is
invited to call (650) 474-8400 to discuss the response.
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Respectfully Submitted,

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